

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	: Bankruptcy No. 22-13427-PMM
Matthew M. Schnee	: Chapter 13
Debtor	:
	:
U.S. Bank National Association, not in its	:
individual capacity but solely in its capacity as	:
Indenture Trustee of CIM Trust 2021-NR2 c/o	:
Select Portfolio Servicing, Inc.	:
Movant	:
vs.	:
Matthew M. Schnee	:
Debtor/Respondent	:
and	:
Scott F. Waterman, Esquire	:
Trustee/Respondent	:

OBJECTION TO CONFIRMATION OF THE PLAN

U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2021-NR2 c/o Select Portfolio Servicing, Inc. (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Matthew M. Schnee (“Debtor”), as follows:

1. As of the bankruptcy filing date of December 28, 2022, Movant holds a secured Claim against the Debtor’s property located at 611 Manbeck Road, Robeson, PA 19551.
2. Movant is in the process of filing a Proof of Claim by the March 8, 2023 bar date, with an estimated secured claim in the amount of \$107,368.04, and estimated pre-petition arrears in the amount of \$44,748.39.
3. The Plan currently proposes payment to Movant in the amount of \$0.00 for pre-petition arrears.
4. The Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).
5. The Plan violates 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Dated: 03/06/2023

Respectfully submitted,

/s/Sarah K. McCaffery, Esquire
Sarah K. McCaffery, Esquire
Hladik, Onorato & Federman, LLP
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North Wales, PA 19454
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Matthew M. Schnee	:
Debtor/Respondent	:
and	:
Scott F. Waterman, Esquire	:
Trustee/Respondent	:

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Sarah K. McCaffery, Esquire, attorney for U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2021-NR2 c/o Select Portfolio Servicing, Inc. ("Movant"), certify that I served a copy of the attached Objection to the Plan to the parties below on 03/06/2023:

David S. Gellert., Esquire
Via Electronic Filing
Attorney for Debtor

Scott F. Waterman, Esquire
Via Electronic Filing
Trustee

Matthew M. Schnee
611 Manbeck Road
Robesonia, PA 19551
Via First Class Mail
Debtor

Date: 03/06/2023

Respectfully Submitted,
/s/Sarah K. McCaffery, Esquire
Sarah K. McCaffery, Esquire
Hladik, Onorato & Federman, LLP
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North Wales, PA 19454
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